# File new case - civil complaints initiation process

|  |  |
| --- | --- |
|  | Save for Later button**Note**: At any stage before a complaint is submitted you may click: **Save for Later**  to save a draft of the complaint.  The draft complaint can be retrieved from the **Drafts** tab on the **My Account** screen of the CMS Portal. |
|  | **Please See**: For more information regarding managing your account, please see User Guide: **My Account Features** |

| Step | Action | | | Result | |
| --- | --- | --- | --- | --- | --- |
| 1 | Log into the **CMS Portal** | | | The **CMS Portal** screen displays:  The Home screen displaying available jurisdictions: Magistrates Court of Victoria and available options: File on One of My Cases, My Account and Organisation Administration. | |
| 2 | In the **Jurisdictions** section, click: **Magistrates’ Court of Victoria**  Magistrates' Court of Victoria button | | | The **Select a Case Type** screen displays:  Screenshot of the MCV Select a Case Type and the Civil button. | |
| 3 | Click: **CIVIL**  Civil button | | | The **Civil** screen displays:  A screenshot of buttons that can be selected for Civil, with Commence a new case and Options headings. | |
| 4 | Click: **File A Complaint**  File a Complaint button | | | The **Civil Complaints** screen displays:  Civil Complaints home screen displays with My Reference field and the Case Details panel. Buttons also display - Next Step, Proceed and Save for Later. | |
| 5 | Complete the required panels and fields:  Fields marked with a red asterisk \* are mandatory.   |  |  | | --- | --- | | PANEL: My Reference | | | In this panel … | Provide this information … | | My Reference | Reference field unique to the filing. Displays a system generated reference. Can be replaced by any reference useful for plaintiff or legal representation to locate and identify the filing. | | PANEL: Case Details | | | Case Type | Select the case type. | | Initiation Type | Select the Initiation type. | | Nature of Claim | Select the nature of claim. | | Court Location | Type the name of the venue for the matter. | | | | | |
| 6 | Click: **Next Step**  Next Step button | | | The **Plaintiff Details (1)** screen displays:  A screenshot of the Plaintiff Details (1) screen with some fields displaying. | |
|  | | **Hint**:  When moving between sections, you can also select the green heading tiles (e.g. **Case Details, Defendant Details**) on the left of the screen to proceed to the desired section. | | |
| 7 | Complete the required panels and fields:   |  |  |  |  |  | | --- | --- | --- | --- | --- | | PANEL: Plaintiff Details | | | | | | In this field … | | Provide this information … | | | | Party Designation Type | | Select the type of plaintiff making the claim. | | | |  | **Important**:  When designated party is business, select **Organisation** as designation type.  'Agency' and 'Company' are currently invalid. | | |  | **Note**: The fields that display will change depending on the Party Designation Type selected. | | | Party Type | | Displays: **Plaintiff** | | | | Surname/Single Name | | Type the surname of the plaintiff. | | | | First Name | | Type the first name of the plaintiff. | | | | Middle Name(s) | | Type any middle names of the plaintiff. | | | | Name Suffix | | Select if required, can be left blank. | | | | Trading As | | If relevant, type the trading name of the plaintiff. | | | | PANEL: Plaintiff Address | | | | | | Address Type | | Select the address type for the plaintiff’s address. | | | | Physical Address | | Start typing the address and select the relevant option from the results. | | | |  | **Note**: If the desired address is not displayed with the search feature, you can type each component of the address in the relevant fields. | | |   *Continued …* | | | | |
| 7 | *Continued …*   |  |  | | --- | --- | | ADDITIONAL PANELS | | | In this panel … | Provide this information … | | Plaintiff Contact Details | Type the contact details for the plaintiff into the relevant fields. You do not need to complete all fields. | | Plaintiff Identification Details | Type the Australian Business Number (ABN) of the plaintiff, if applicable. | | Plaintiff Financial Details | Type the financial details for the plaintiff, if applicable. | | Plaintiff Representation Capacity or Litigation Guardian | Dropdown menus display **No.** Change if required. | | | | | |
| 8 | Click: **Next Step**  Next Step button | | | The **Legal Representation Details** screen displays:  A screenshot of the Legal Representation Details screen with some fields displaying. | |
| Complete the required panels and fields:   |  |  | | --- | --- | | PANEL: Legal Representation Details | | | In this field … | Provide this information … | | Business Name or Solicitor Code | Start typing the address and select the relevant option from the results. This will then populate the relevant fields. | | | | | |
| 9 | Click: **Next Step**  Next Step button | | | The **Defendant Details (1)** screen displays:  A screenshot of the Defendant Details (1) screen with some fields displaying. | |
| 10 | Complete the required panels and fields:   |  |  |  | | --- | --- | --- | | PANEL: Defendant Name | | | | In this field … | Provide this information … | | | Party Designation Type | Select the party type. | | |  | **Important**:  When designated party is business, select **Organisation** as designation type.  'Agency' and 'Company' are currently invalid. | |  | **Note**: Fields have different values depending on the **Party Designation Type** selected. | | Party Type | Displays **Defendant** | | | Surname/Single Name | Type the surname of the defendant. | | | First Name | Type the first name of the defendant. | | | Middle Name(s) | Type any middle names of the defendant. | | | Name Suffix | Select if required, can be left blank. | | | Trading As | If relevant, type trading name of the defendant. | |   *Continued …* | | | | |
| 10 | *Continued …*   |  |  |  | | --- | --- | --- | | PANEL: Defendant Address | | | | Address Type | | Select the address type for the defendant’s address | | Physical Address | | Start typing the address and select the relevant option from the results. | |  | **Note**: If the desired address is not displayed with the search feature, you can type each component of the address in the relevant fields. | | | PANEL: Defendant Identification Details | | | | Australian Business Number (ABN) | | Type the Australian Business Number (ABN) of the defendant, if applicable. | | Australian Company Number (ACN) | | Type the Australian Company Name (ACN) of the defendant, if applicable. | |  | **Note**: Australian Company Number (ACN) only appears if **Organisation** is selected in Party Type | | | | | | |
| 11 | Click: **Next Step**  Next Step button | | | The **Claim Details** screen displays:  The Claim Details panel with some fields displaying. | |
| 12 | Complete the required panels and fields:   |  |  |  | | --- | --- | --- | | PANEL: Claim Details | | | | In this field … | | Provide this information … | | Is this a monetary claim? | | Select **Yes** or **No** | | Claim Amount | | Type the claim amount. | | Costs | | Type the costs amount (if no costs are claimed, type 0) | | Was the place of claim outside the state of Victoria? | | Displays **No**, only change if required. | | Suburb/Town | | Type the suburb for the claim and select from the results. | |  | **Hint**:  You can leave the **Suburb/Town** field blank and type the **Postcode** instead. Select the relevant suburb from the results provided. | | | Postcode | | Automatically displays if suburb has been selected. | | Claim details | | Type the details for the **Statement of Claim** | |  | Question mark icon**Hint**:  Click the question mark icon for guidelines on the required format for the **Statement of Claim** | | | | | | |
| 13 | Click: **Next Step**  Next Step button | | | The **Document Details** panel displays:  The Document Details panel with some fields displaying. | |
| 14 | Complete the required panels and fields:   |  |  |  | | --- | --- | --- | | PANEL: Document Details | | | | In this field… | | Provide this information… | | Document Details | | Filing document displays. Optional additional documents are listed. | | Code/Name | | Start typing the name of the **Code/Name** and select relevant document from the results displayed. Click **Choose File** and upload the relevant PDF. | |  | **Hint**:  This field can be used to upload optional documents at time of filing, such as the **Overarching obligations certifications (Form 4a).** If not selected at this time, the documents can be uploaded to the CMS Portal or with the registry at a later date. | | | Electronic Signature Consent | | Tick box iconSelect the item Electronic Signature Consent. | | **Note**: By selecting this box, I consent to my electronic signature being affixed to this document in accordance with the Electronic Transactions Act 2000 (Vic). | | | **Note**: If the desired address is not displayed with the search feature, you can type each component of the address in the relevant fields. | | | | | |
|  | | **Hint**:  If you are not applying for a fee waiver for this complaint, you can skip to step 15. | | | |
| 15 | Click: **Next Step**  Next Step button | | | The **Fee Waiver** screen displays:  A screenshot of the Fee Waiver panel with the field, Are you applying to waive the fee? | |
| 16 | From the **Are you applying to waive the fee?** dropdown menu, select **Yes** or **No** | | | If you have selected **Yes,** information related to the fee waiver, including an upload field for the fee waiver application, displays: | |
| Screenshot of text displaying when Yes is selected to waive the fee and the Choose File button. | | | | |
|  | | **Note**: If you select **Yes** to fee waiver skip to Step 21. | | |
| 17 | Click: **Proceed**  Proceed button | | | The **My Account** screen displays:  The Cart tab within the My Account screen displays with the item requiring payment and the Submit Payment button. | |
|  | | **Hint**:  You can return to previous sections before completing the civil complaints initiation process by clicking the green button for the desired section, or the **Previous Step** button. | | |
| 18 | Tick box iconSelect the item requiring payment then click: **Submit Payment**  **Submit Payment button** | | | The **Process Payment** screen displays: | |
| Process Payment screen displays with Filing Information, Payment Options, and the Continue and Back buttons. | | | | |
| 19 | From the **Payment Options** panel, select Radio button a payment method, then click: **Continue**  **Continue button** | | |  | **Please See**: Payment options can be added and removed from the **My Account** screen. For more information, please see User Guide: **My account** |
| 20 | What payment method was selected?   |  |  | | --- | --- | | If … | Then … | | ePayment by Credit/Debit Card | The **Payment Processing** screen displays:  Payment processing screen with fields to input credit card details, and a Make Payment button.  Enter payment details then select: **Make Payment**  **Make payment button** | | A stored credit card on your account | Proceed step 20. | | | | | |
| 21 | The complaint is filed. The **Confirmation of Filing** screen displays:  The Confirmation of Filing screen displays with Filing Information and Payment Information. Also includes Back To My Cart, My Account and Print This Page buttons. | | | | |
|  | | **Note**: An email confirmation is sent to the email address associated to your **CMS Portal** account. | | |